

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1-31. (Canceled)

32. (New) A lithium battery comprising a positive electrode, a negative electrode comprising a carbonaceous material of graphite crystal structure, and a non-aqueous electrolytic solution, wherein the non-aqueous electrolytic solution comprises an electrolyte and a non-aqueous solvent comprising a cyclic carbonate and a linear carbonate in a volume ration of 1:9 to 9:1, the non-aqueous solvent further containing adiponitrile in an amount of 0.01 to 1.0 wt.%.

33. (New) The lithium battery of claim 32, wherein the battery is a lithium secondary battery.

34. (New) The lithium battery of claim 32, wherein the carbonaceous material has a lattice distance of lattice surface (002) of 0.34 nanometer or less.

35. (New) A lithium battery comprising a positive electrode, a negative electrode comprising a carbonaceous material of graphite crystal structure, and a non-aqueous electrolytic solution, wherein the non-aqueous electrolytic solution comprises an electrolyte and a non-aqueous solvent comprising a cyclic carbonate and a linear carbonate in a volume ration of 1:9 to 9:1, the non-aqueous solvent further containing glutaronitrile in an amount of 0.01 to 1.0 wt.%.

36. (New) The lithium battery of claim 35, wherein the battery is a lithium secondary battery.

37. (New) The lithium battery of claim 35, wherein the carbonaceous material has a lattice distance of lattice surface (002) of 0.34 nanometer or less.